

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

REUBEN HENRY,)	
)	
Plaintiff,)	
)	Civil Action No. 10-189 Erie
v.)	
)	
SUPERINTENDENT SAUER, et al.,)	
)	
Defendants.)	

MEMORANDUM ORDER

This civil rights action was received by the Clerk of Court on August 5, 2010 and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation [ECF No. 88], filed on August 6, 2012, recommended that the case be dismissed due to Plaintiff's failure to prosecute. The parties were allowed fourteen (14) days from the date of service to file objections and no objections were filed. After de novo review of the documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 24th day of August, 2012;

IT IS HEREBY ORDERED that the case is DISMISSED due to Plaintiff's failure to prosecute.

The Report and Recommendation [ECF No. 88] of Magistrate Judge Baxter, filed on August 6, 2012, is adopted as the opinion of the Court.

s/ Sean J. McLaughlin
United States District Judge

cm: All parties of record
Susan Paradise Baxter, U.S. Magistrate Judge